

[District Letterhead]

[Date]

Parent's Foundation for Education  
[Name of Requesting Party]  
P.O. Box no. 7162  
Austin, TX 78713

Re: Public Records Act Request Received [date] Seeking Records of District's Employees

Dear [Mr/Ms.] [name]:

You have submitted a Public Records Act dated December [date], 2017 that was received by the District on [date]. Your request seeks, in electronic format, and specifically in the form of an Excel spreadsheet, the following seventeen categories of records about each District employee:

1. Campus (or office building name, for staff)
2. First Name
3. Middle Name
4. Last Name
5. Position
6. Grade Level(for teachers)
7. Subject Area taught (for teachers)
8. Certified in Area of Instruction (for teachers)
9. Home Address
10. School Email
11. Personal Email
12. Personal Phone Number
13. Gender
14. Race/Ethnicity
15. Hire Date
16. Years of Experience
17. Current Salary

The District will provide the information as requested in requests nos. 1 through 8 (Campus through Certified in Area of Instruction). The District will also provide the information in the last three categories of information (Hire Date, Years of Experience, and Current Salary). *[The District will also provide the work e-mails for each employee OR The e-mails addresses for each employee can be found on the Internet at this website address:*  
\_\_\_\_\_]

The District objects to providing the records sought in the remaining categories. A public employee's home address, personal telephone number, and personal e-mail address are exempt from disclosure under Government Code § 6254.3. An employee's personal e-mail address is also confidential under § 6254.3 unless it is used to conduct District-related business. The

District is unaware of any employees using personal email address to conduct District-related business.

**[IF THE DISTRICT OBJECTS TO PROVIDING WORK E-MAIL ADDRESSES:]**

*[The District objects to providing all employee e-mail addresses in response to a public records request. The District generally does not publicize its e-mail addresses because it believes that doing so makes those addresses more susceptible to unsolicited e-mails, thereby placing its servers at an increased risk of computer viruses and malware and distracts employees from their work-related responsibilities. This request is denied under Government Code § 6255, as the public interest in withholding disclosure of the requested information outweighs the public interest in disclosure.]*

The District objects to identifying the race, sex, or ethnicity of any of its employees. **[IF ACCURATE: The District's records do not identify the race or ethnicity of specific employees.]** The District *[also]* takes the position that those three categories of personal information do not constitute "information relating to the conduct of the public's business" as the term "public records" is defined in Government Code § 6252, subd. (e).

To the extent that one can make the argument that they do, they would also be exempt from disclosure under either Government Code § 6254, subd. (c) as a personnel records whose disclosure would constitute an unwarranted invasion of personal privacy, or alternatively under Government Code § 6255, in that the public interest in withholding disclosure of that information outweighs the public interest in disclosure. As provided by Government Code § 6253, subd. (d), to the extent that any part of this request is deemed to have been denied under § 6255, the person responsible for that denial is the undersigned *[or identify other official]*.

With respect to your request that these records be produced in the form of an Excel spreadsheet **[CHOOSE ONE OF THE FOLLOWING]**:

**[A]** the District has determined that it will take approximately *[no.]* hours of staff time, at an estimated hourly rate of *[hourly rate]* per hour to assemble its records into such a spreadsheet, for an estimated total of \$   .**00**. As provided in Government Code § 6253.9, subd. (b), as the party requesting these records, you are responsible for such costs as a condition of the District performing that assembly. Please remit the total of \$   .**00** payable to the District and the District will assemble those records as requested. Once the District receives that payment, we will provide an estimate of when the records will be made available.

**[B]** the District will be unable to expend the staff time to assemble these records per your request into an Excel spreadsheet. Instead, as required by Government Code § 6253.9, subd. (a), the District is herewith providing you with the requested records in the *[identify format]* computer format in which it maintains these records.

**[C]** the District will be unable to expend the staff time to assemble these records per your request into an Excel spreadsheet. Instead, as required by Government Code § 6253.9, subd. (a), the District will provide you with the requested records in the *[identify format]* computer format no later than *[e.g., January 31, 2018]*.

**[NOTE TO DISTRICTS:** *Options B and C above presuppose that the District is going to provide the data only in its “native format.” Except for redaction of any confidential information, a district is not permitted to charge for that except a nominal charge for, e.g., the CD-ROM on which such data might be mailed. Nevertheless, if a District must redact information even in the “native format,” it may still incur recoverable costs for such redaction, in which case a combination of the language of Option A and one of the two other options may be used to seek those charges up front before undertaking the redaction.]*

Sincerely,

[Name]  
Superintendent, [District]

OR

[Name]  
[Trustee, District]